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UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THE CENTER FOR INVESTIGATIVE  
REPORTING and AURA BOGADO,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES,

Defendant.

No. 20-cv-00608-SK

**JOINT CASE MANAGEMENT STATEMENT  
AND [PROPOSED] ORDER**

In their joint case management conference (“CMC”) statement dated June 14, 2021, ECF No. 45, and during their initial CMC on June 21, 2021, plaintiffs The Center for Investigative Reporting and Aura Bogado (“Plaintiffs”) and defendant United States Department of Health and Human Services (“Defendant”) reported that they continued to work towards a resolution of this action, and that if they were unable to reach a resolution, they would respectfully request that the Court refer the case to a magistrate judge to conduct a settlement conference. ECF No. 47. Accordingly, following the parties’ initial CMC, the Court set a further CMC for July 19, 2021 at 1:30 p.m. and required the parties to provide a further joint case management statement by July 12, 2021. *Id.* The parties now respectfully submit this joint CMC statement.

The parties have reached an agreement that will resolve this action. Pursuant to the parties’

1 agreement, Defendant agreed to (i) complete the production of all rows of a transfer request spreadsheet  
2 by July 2, 2021; (ii) add year of birth information to this spreadsheet, as well as three additional transfer  
3 spreadsheets previously produced, by July 7, 2021; and (iii) produce 660 agreed-upon significant  
4 incident reports (“SIRs”) to Plaintiffs, in spreadsheet form and with year of birth information included,  
5 at a rate of 125 SIRs per month, with the first production on July 30, 2021 and monthly productions  
6 thereafter until complete. Plaintiffs agreed to waive all attorneys’ fees and costs.

7 Defendant timely satisfied parts (i) and (ii) of the parties’ agreement, and is now in the process of  
8 reviewing and producing SIRs to Plaintiffs at the agreed-upon rate. In order for the parties to continue  
9 this process, the parties stipulate and respectfully request that the Court continue the CMC by  
10 approximately four (4) months, from July 19, 2021 at 1:30 p.m. until November 22, 2021 at 1:30 p.m.,  
11 with the parties’ joint CMC statement due on November 15, 2021. The parties will update the Court  
12 regarding their progress in either their joint CMC statement or a further request and proposed order  
13 continuing the CMC. The parties respectfully submit that this is the most efficient manner to proceed  
14 and will conserve the parties’ and Court’s resources.

15 In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all  
16 signatories listed below concur in the filing of this document.

17 Respectfully submitted,

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19 DATED: July 12, 2021

STEPHANIE M. HINDS  
Acting United States Attorney

20 /s/ Savith Iyengar  
21 SAVITH IYENGAR  
22 Assistant United States Attorney

23 DATED: July 12, 2021

THE CENTER FOR INVESTIGATIVE REPORTING

24 /s/ D. Victoria Baranetsky  
D. VICTORIA BARANETSKY

25 Attorney for Plaintiffs  
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1 **[PROPOSED] ORDER**

2 Upon the parties' request, the Court HEREBY CONTINUES the case management conference  
3 from July 19, 2021 at 1:30 p.m. until November 22, 2021 at 1:30 p.m. The parties shall file a joint case  
4 management statement by no later than November 15, 2021.

5 **IT IS SO ORDERED.**

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7 Dated:

8 SALLIE KIM  
9 United States Magistrate Judge  
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